

EXHIBIT A



INTERIM ORDER

SUBJECT: **REVISION TO PATROL GUIDE 208-03, "ARRESTS - GENERAL PROCESSING" AND PATROL GUIDE 208-07, "PHOTOGRAPHABLE OFFENSES"**

DATE ISSUED:	REFERENCE:	NUMBER:
03-02-15	P.G. 208-03 AND P.G. 208-07	29

1. In order to accommodate arrestees who refuse to remove their religious head covering for an official Department photograph, the Department has authorized the Mass Arrest Processing Center (MAPC) at One Police Plaza to be available so that an arrestee can remove their religious head covering and have their photograph taken in private. The facility is operational seven days a week, from 0800 to 2400 hours. The Department requires that an official photograph be taken of an arrestee with an unobstructed view of the arrestee's head, ears and face. The photograph taken at the command of arrest for the **Prisoner Movement Slip** is not considered an official Department photograph. That photograph is taken for identification purposes only and may be taken while the arrestee wears their religious head covering.

2. Therefore, effective immediately, Patrol Guide 208-03, "Arrests – General Processing" is amended as follows:

a. **ADD** new step "**35**," opposite actor "**DESK OFFICER**," on page "**8**" to read:

"DESK OFFICER 35. Notify Manhattan Court Section if prisoner indicates a refusal to remove their religious head covering for the official Department photograph at borough Court Section.

- a. **Inform Manhattan Court Section of the gender of the arrestee in order to have a member of the service of the same gender available to take the official Department photo.**
- b. **Direct arresting officer to transport prisoner to the Mass Arrest Processing Center (MAPC) at One Police Plaza, between 0800 and 2400 hours, where the arrestee will have an official Department picture taken without their religious head covering.**
- c. **Direct arresting officer to transport prisoner to the respective borough Court Section upon completion of the official Department photograph at the MAPC."**

b. **RENUMBER** current steps "**35**" through "**44**," to read:

"36" through "**45**"

- c. ADD new step "42," opposite actor "BOROUGH COURT SECTION SUPERVISOR," on page "9" to read:

"BOROUGH
COURT
SECTION
SUPERVISOR

42. Notify Manhattan Court Section if prisoner refuses to remove their religious head covering for the official Department photograph.
- a. Inform Manhattan Court Section of the gender of the arrestee in order to have a member of the service of the same gender available to take the official Department photo.
- b. Direct arresting officer to transport prisoner to the Mass Arrest Processing Center (MAPC) at One Police Plaza, between 0800 and 2400 hours, where the arrestee will have an official Department picture taken without their religious head covering.
- c. Direct arresting officer to return the prisoner to the borough Court Section upon completion of the official Department photograph at the MAPC."

- d. RENUMBER current steps "42" through "45," to read:
"43" through "46"

3. Additionally, Patrol Guide 208-07, "Photographable Offenses" is amended as follows:

- a. ADD new paragraph following the second paragraph of "ADDITIONAL DATA," on page "1" to read:

"ADDITIONAL
DATA

If arrestee refuses to remove their religious head covering for a photograph taken for identification purposes (i.e., Prisoner Movement Slip), the arresting officer will take a digital photograph of the arrestee wearing their religious head covering. The arresting officer will then inform the arrestee that the Department is required to take an official Department photograph at the borough Court Section in which the arrestees head covering must be removed. If the arrestee indicates that they will continue to refuse to remove their religious head covering at the borough Court Section they will be informed that they will be transported to the prisoner photography facility at the Mass Arrest Processing Center (MAPC), at One Police Plaza between 0800 and 2400 hours where their head gear will be removed and an official Department photograph will be taken in privacy. Furthermore, the arrestee will be informed that their arrest processing may be delayed due to operational requirements incumbent in using the MAPC. Notification to Manhattan Court Section must be made before the arrestee is transported."

4. Upon publication, this Interim Order has been incorporated into the On-Line Patrol Guide.
5. Any provisions of the Department Manual or any other Department directive in conflict with the contents of this Order are suspended.

BY DIRECTION OF THE POLICE COMMISSIONER

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INTERIM ORDER NO. 29